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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/917,105 | 07/27/2001 | Joseph M. Cannon | J.M. CANNON 123-111-70 | 9776 |

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EXAMINER

KIM, AHSHIK

ART UNIT PAPER NUMBER

2876

DATE MAILED: 08/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/917,105

Applicant(s)

CANNON ET AL.

Examiner

Ahshik Kim

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2003 (Response).
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-25, 27-35, 37-39 and 41 is/are rejected.
- 7) ☒ Claim(s) 26, 36 and 40 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Receipt of Response

1. Receipt is acknowledged of the response filed on June 5, 2003. Claims 22-41 remain for
5 examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

10 A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 15 3. Claims 22-25, 27-35, 37-39, and 41 are rejected under 35 U.S.C. 102(b) as being anticipated by Desai (US 5,493,105).

Re claims 22, 29, and 39, Desai teaches an electronic business card system (see abstract) comprising a telephone interface (col. 2, lines 20-21; col. 3, lines 24+), which initiates auto-dial function as shown in figure 10. The system also includes a scanner 116 which reads various
20 information from business card (col. 4, line 58 – col. 5, line 5). The data, which can be stored in the card includes (col. 5, line 66+) name, title, company name a phone number and a fax number. When the information is retrieved from the card, the data have to parsed and stored in the right locations in order for the system to be functional.

Re claims 23 and 30, the system further comprised of a user data interface such as a
25 keyboard 118 (col. 2, lines 9+), and the user can edit information read from the card (col. 8, lines

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48 - 61). Accordingly, the number used in faxing or phoning is from the card or user-inputted number via keyboard.

Re claims 24, 31, and 33-35, the interface operates in several modes (col. 6, lines 53+), each mode providing separate functions to the user such as accepting, storing accessing and
5 manipulating entered data.

Re claims 25 and 32, the system provides an interface for the users to enter each separate fields (col. 7, lines 47+), and thus system would be able to differentiate a voice phone number from a facsimile number.

Re claims 27, 28, 37, 38, and 41, auto-dialer checks its telephone connection (col. 16,
10 lines 65+), ensuring that the dialer is in ready-status if the call is initiated. Although not explicitly suggested, the telephone interface can be a fax machine.

Allowable Subject Matter

4. Claims 26, 36, and 40 are objected to as being dependent upon a rejected base claim, but
15 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: the claims are directed at an automated telephone interface comprising a scanner and the methods for using the apparatus. As recited in the claims, scanned information is parsed and used in
20 initiating a call (or a session). Such automated telephone interface is well known in the art and widely used in the industries as disclosed in the Desai patent. However, the cited references, taken alone or in combination, fail to show or fairly teach the specific method wherein the card is

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read in one direction initiates a call function, and the card read in the other direction initiates a facsimile function as set forth in the claims.

Response to Arguments

- 5 6. Applicants' remarks/arguments filed on June 5, 2003 have been carefully reviewed. Moreover, the presented claims 22-41 were reconsidered in view of Applicant's remarks. In doing so, Examiner agrees with Applicant that the Desai patent does not specifically disclose that direction or orientation of the information read determines whether to initiate a call or a fax although the information can be read in both directions/orientation (col. 5, lines 1+).
- 10 Accordingly, the limitations relating to the orientation (claims 26, 36, and 40) are now made an allowable subject matter.

With respect to all other claims, it is the Examiner's opinion that the Desai patent still teaches the subject matter in these claims (See paragraph #3).

15

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

- A shortened statutory period for reply to this final action is set to expire THREE
- 20 MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5 Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Ahshik Kim* whose telephone number is (703)305-5203 . The examiner can normally be reached between the hours of 6:00AM to 3:00PM Monday thru Friday.

10 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (703) 305-3503. The fax number directly to the Examiner is (703) 746-4782. The fax phone number for this Group is (703)308-7722, (703)308-7724, or (703)308-7382.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [ahshik.kim@uspto.gov].

15 *All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

20 Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

25



Ahshik Kim
Patent Examiner
Art Unit 2876
August 14, 2003



MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
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